

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE ACTION

In re Application of: Jean-Paul Cassart, et al.

Examiner: Min-Tam Davis

Serial No.: 10/650,608

Art Unit: 1642

Filing Date: 28 Aug 2003

Confirmation No: 8978

For: TUMOUR SPECIFIC ANIMAL PROTEINS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION
FILED CONTEMPORANEOUSLY WITH AN
INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. 1.97
AND
SUMMARY OF INTERVIEW DATED 9 SEP 2008 PURSUANT TO 37 CFR 1.133(b)

Ma'am:

This Communication is being filed contemporaneously with an Information Disclosure Statement.

REMARKS

Interview Summary

A telephonic interview was conducted 9 Sep 2008 in which the pending case was discussed. During the interview, Applicants' representative brought to the Examiner's attention an incorrect statement that was written through error without deceptive intent in the Response filed 5 Aug 2008. Specifically, Applicants' representative made the following argument on page 4 of the Response:

See Example 11, which demonstrates by immunohistochemistry that CASB7439/ASCL2/HASH2 staining is high in colon cancer and low in normal colon. These results favor a conclusion that CASB7439/ASCL2/HASH2 protein is present on the surface of colon cancer cells (because it is accessible to staining).

As was discussed by phone, the immunohistochemistry assay cited in the argument indicates whether a protein is expressed by a cell, but not whether a protein is present on the surface of a cell. Applicants' representative regrets any confusion that was caused.

Information Disclosure Statement

Applicants submit herewith a Form 1449 and copies of the cited documents for the Examiner's consideration. If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned.

The Commissioner is hereby authorized to charge any fees required or credit any overpayment to Deposit Account No. 07-1392.

Respectfully submitted,

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Date: 14 Oct 08
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